

Frederick County Ethics Commission
Minutes for the Public Meeting of Wednesday, September 3, 2014

Present: Gwen Romack, Chair
Brian Duncan, Vice Chair
C. Steven Snow, Commission Member
Stephen Starliper, Commission Member
Beverly Freed, Alternate Commission Member
Linda B. Thall, Senior Assistant County Attorney

Absent: R. Carl Benna, Commission Member

Ms. Romack called to order a meeting of the Frederick County Ethics Commission at 6:30 p.m. on September 3, 2014, in the County Attorney's law library on the 2nd floor of Winchester Hall, 12 East Church Street, Frederick, Maryland 21701.

Introduction of new members – Mr. Starliper and Ms. Freed were recently appointed to the Ethics Commission by the Board of County Commissioners. Both were introduced to the others in attendance at the meeting.

Selection of officers – The Commission selected its Chair and Vice Chair.

MOTION: Mr. Duncan made a motion to appoint Ms. Romack to another term as the Commission Chair. Mr. Snow seconded the nomination. The nomination was approved unanimously by the members voting. Ms. Romack did not participate in the vote.

MOTION: Mr. Duncan made a motion to appoint Mr. Snow as Vice Chair of the Commission. Mr. Snow declined the nomination. Mr. Snow then made a motion to appoint Mr. Duncan to the Vice Chair position. Mr. Starliper seconded the nomination. The nomination was approved unanimously by the members voting. Mr. Duncan did not participate in the vote.

Discussion of financial disclosure statements – All members indicated that they have completed their review of the annual financial disclosure statements. (Mr. Starliper and Ms. Freed did not review the statements, as they were distributed prior to their appointments to the Ethics Commission.)

Mr. Duncan suggested a change to the portion of the disclosure form that allows an official or employee to ask for notice in the event that someone looks at their disclosure statement. This section should be reworded to give the official or employee the option of asking for notice in the event that someone other than a member of the Ethics Commission looks at their disclosure statement. The other members agreed with this change.

Mr. Snow discussed one of the financial disclosure statements he reviewed, in which a County employee disclosed that he owns multiple properties in Frederick County. The members discussed the extent to which a potential conflict of interest could arise from the employee's work, but determined that there was no conflict of interest requiring action by the Ethics Commission.

Discussion of potential revisions to the Ethics Ordinance – The Commission members are considering recommending changes to the County's Ethics Ordinance, as well as possible changes to the County's Personnel Rules. The members discussed the timing for the recommendations, as well as the substantive areas where changes should be made. One subject addressed was the manner in which Ethics Commission members will be appointed and the role that the Commission members should play in the appointment process. The need for funding outside counsel in certain matters, strengthening the Commission's investigative powers, expanding the Commission's jurisdiction and adding to the Commission's remedial powers were other topics of discussion. Decisions on these recommendations were deferred until the next Commission meeting. The Commission asked that the Director of the Division of Human Resources be invited to the next Commission meeting.

Before the next meeting, the members will review the Ethics Ordinances adopted by Anne Arundel County (Mr. Snow), Baltimore County (Mr. Duncan), Carroll County (Ms. Freed), Howard County (Ms. Romack), Montgomery County (Mr. Starliper), and Prince George's County (Mr. Duncan) to see how those ordinances address the following subjects: (1) the appointment of Ethics Commission members, (2) the investigative powers given to the Commission, (3) the remedies available to the Commission, (4) the ability to obtain outside counsel or other assistance when needed, (5) the restrictions on personal relationships between officials and subordinate employees, and (6) whether the Counties have paid Ethics Commission staffs or depend on volunteer commissioners.

Discussion of community outreach efforts – This topic was deferred to the next meeting.

Decision to meet to perform an administrative function – The Commission members agreed unanimously to conduct an administrative function meeting to discuss a pending complaint.

Required information regarding the administrative function meeting – The Commission began its administrative function meeting at approximately 8:05 p.m. on September 3, 2014, in the County Attorney's Law Library on the 2nd floor of Winchester Hall, 12 East Church Street, Frederick, Maryland 21701. Present for the meeting were Ms. Romack, Mr. Duncan, Mr. Snow, Mr. Starliper, Ms. Freed and Ms. Thall. The Commission members noted that a complaint alleging violation of the Ethics Ordinance had been received the day before the Commission's meeting. The members agreed that more time was required to review the materials provided with the complaint and discussed the steps that the Commission members need to take before the next meeting.

Adjournment

The Ethics Commission adjourned its meeting at approximately 8:25 p.m.

/s/
Linda B. Thall, Senior Assistant County Attorney